

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LI *et al.*

Appl. No.: 10/791,905

Filed: March 4, 2004

For: **Human G-Protein Chemokine  
Receptor (CCR5) HDGNR10**

Confirmation No.: 3954

Art Unit: 1649

Examiner: Ulm, John D.

Atty. Docket: 1488.115000P/EKS/HCC



**Fifth Supplemental Information Disclosure Statement  
Filing Under 37 C.F.R. § 1.97(b)**

*Mail Stop RCE*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Form, PTO/SB/08B and PTO/SB/08A, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of the documents **AS68-AS76** on Form PTO/SB/08B were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 10/127,764, filed April 23, 2002, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d). A copy of the document **AT76**, which is cited on Form PTO/SB/08B is submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications cited on the attached IDS Form PTO/SB/08A are not submitted.

It is expected that the examiner will review the prosecution and cited art in the parent Application No. 10/127,764 in accordance with MPEP 2001.06(b), and indicate in

the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

Application No. 11/518,949, inventors Roschke, V., *et al.*, filed September 12, 2006; not published; listed as document **AT76**; and

Application No. 10/232,686, inventors Li, Y., *et al.*, filed September 3, 2002; published on January 30, 2003 as U.S. Publication No. 2003/0023044 A1; listed as document **US1**.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Helene C. Carlson  
Agent for Applicants  
Registration No. 47,473

Date: 10/16/06

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Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <small>(Use as many sheets as necessary)</small>				Application Number	10/791,905
				Filing Date	March 4, 2004
				First Named Inventor	LI, Yi
				Art Unit	1649
				Examiner Name	ULM, John D.
Sheet	1	of	3	Attorney Docket Number	1488.115000P/EKS/HCC

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	AS68	Burman, A., <i>et al.</i> , "A Chemokine-Dependent Stromal Induction Mechanism for Aberrant Lymphocyte Accumulation and Compromised Lymphatic Return in Rheumatoid Arthritis," <i>J. Immunol.</i> 174: 1693-1700, The American Association of Immunologists, Inc. (February 2005)	
	AT68	Chuntharapai, A., <i>et al.</i> , "Neutralizing Monoclonal Antibodies to Human IL-8 Receptor A Map to the NH <sub>2</sub> -Terminal Region of the Receptor," <i>J. Immunol.</i> 152: 1783-1789, The American Association of Immunologists, Inc. (February 1994)	
	AR69	DePaolo, R.W., <i>et al.</i> , "CCR5 Regulates High Dose Oral Tolerance by Modulating CC Chemokine Ligand 2 Levels in the GALT," <i>J. Immunol.</i> 173: 314-320, The American Association of Immunologists, Inc. (July 2004)	
	AS69	Forssmann, U., <i>et al.</i> , "Hemofiltrate CC chemokines with unique biochemical properties: HCC-1/CCL14a and HCC-2/CCL15," <i>J. Leukoc. Biol.</i> 70: 357-366, Society for Leukocyte Biology (September 2001)	
	AT69	Greiner, K., <i>et al.</i> , "Anti-TNF $\alpha$ Therapy Modulates the Phenotype of Peripheral Blood CD4 <sup>+</sup> T Cells in Patients with Posterior Segment Intraocular Inflammation," <i>Invest. Ophthalmol. Vis. Sci.</i> 45: 170-176, Association for Research in Vision and Ophthalmology (January 2004)	
	AR70	Gu, L., <i>et al.</i> , "Control of T <sub>H</sub> 2 polarization by the chemokine monocyte chemoattractant protein-1," <i>Nature</i> 404: 407-411, Nature Publishing Group (March 2000)	
	AS70	Karpus, W.J., <i>et al.</i> , "Monocyte Chemotactic Protein 1 Regulates Oral Tolerance Induction by Inhibition of T Helper Cell 1-related Cytokines," <i>J. Exp. Med.</i> 187: 733-741, The Rockefeller University Press (March 1998)	
	AT70	Houri, J.M. and O'Sullivan, F.X., "Animal models in rheumatoid arthritis," <i>Curr. Opin. Rheumatol.</i> 7: 201-205, Current Science (May 1995)	
	AR71	Joosten, L.A.B., <i>et al.</i> , "Dual Role of IL-12 in Early and Late Stages of Murine Collagen Type II Arthritis," <i>J. Immunol.</i> 159: 4094-4102, The American Association of Immunologists, Inc. (October 1997)	
	AS71	Ishida, H., <i>et al.</i> , "Continuous Administration of Anti-Interleukin 10 Antibodies Delays Onset of Autoimmunity in NZB/W F <sub>1</sub> Mice," <i>J. Exp. Med.</i> 179: 305-310, The Rockefeller University Press (January 1994)	

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FIFTH SUPPLEMENTAL  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 3

**Complete if Known**

Application Number	10/791,905
Filing Date	March 4, 2004
First Named Inventor	LI, Yi
Art Unit	1649
Examiner Name	ULM, John D.
Attorney Docket Number	1488.115000P/EKS/HCC

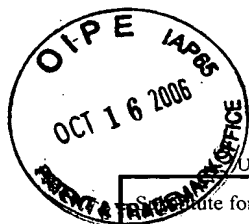
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	AT71	Llorente, L., <i>et al.</i> , "Clinical and Biologic Effects of Anti-Interleukin-10 Monoclonal Antibody Administration in Systemic Lupus Erythematosus," <i>Arthritis Rheum.</i> 43: 1790-1800, Lippincott Williams & Wilkins Inc. (August 2000)	
	AR72	Luster, A.D., "Chemokines -- Chemotactic Cytokines That Mediate Inflammation," <i>N. Engl. J. Med.</i> 338: 436-445, Massachusetts Medical Society (February 1998)	
	AS72	Luther, S.A. and Cyster, J.G., "Chemokines as regulators of T cell differentiation," <i>Nat. Immunol.</i> 2: 102-107, Nature America, Inc. (February 2001)	
	AT72	Marino, A.P., <i>et al.</i> , "CC-chemokine receptors: a potential therapeutic target for <i>Trypanosoma cruzi</i> -elicited myocarditis," <i>Mem. Inst. Oswaldo Cruz</i> 100: 93-96, Instituto Oswaldo Cruz (March 2005)	
	AR73	McGeachy, M.J. and Anderton, S.M., "Cytokines in the induction and resolution of experimental autoimmune encephalomyelitis," <i>Cytokine</i> 32: 81-84, Elsevier Ltd. (October 2005)	
	AS73	Napier, C., <i>et al.</i> , "Molecular cloning and radioligand binding characterization of the chemokine receptor CCR5 from rhesus macaque and human," <i>Biochem. Pharmacol.</i> 71: 163-172, Elsevier Inc. (December 2005)	
	AT73	Nori, M., <i>et al.</i> , "Ebastine inhibits T cell migration, production of Th2-type cytokines and proinflammatory cytokines," <i>Clin. Exp. Allergy</i> 33: 1544-1554, Blackwell Publishing Ltd. (November 2003)	
	AR74	Rubin, A.S., <i>et al.</i> , "Experimental Arthropathy Induced in Rhesus Monkeys ( <i>Macaca mulatta</i> ) by Intradermal Immunization with Native Bovine Type II Collagen," <i>Lab. Invest.</i> 57: 524-534, The United States and Canadian Academy of Pathology, Inc. (1987)	
	AS74	Singh, V.K., <i>et al.</i> , "The Paradigm of Th1 and Th2 Cytokines, Its Relevance to Autoimmunity and Allergy," <i>Immunol. Res.</i> 20: 147-161, Humana Press (November 1999)	
	AT74	Szeto, C.-C., <i>et al.</i> , "Levamisole induces interleukin-18 and shifts type 1/type 2 cytokine balance," <i>Immunol.</i> 100: 217-224, Blackwell Science Ltd. (February 2000)	

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	AR75	't Hart, B.A., <i>et al.</i> , "Induction of type II collagen-specific antibody production in blood lymphocyte cultures of Rhesus monkeys ( <i>Macaca mulatta</i> ) with collagen-induced arthritis using the immobilized native antigen," <i>Clin. Exp. Immunol.</i> 83: 375-378, Blackwell Scientific Publications (1991)	
	AS75	Weiner, H.L., "Oral tolerance: immune mechanisms and treatment of autoimmune diseases," <i>Immunol. Today</i> 18: 335-343, Elsevier Science Ltd. (July 1997)	
	AT75	Wu, Z., <i>et al.</i> , "Reactive Oxygen Species in the Initiation of IL-4 Driven Autoimmunity as a Potential Therapeutic Target," <i>Curr. Pharm. Des.</i> 10: 899-913, Bentham Science Publishers Ltd. (March 2004)	
	AR76	Yin, Z., <i>et al.</i> , "IL-10 Regulates Murine Lupus," <i>J. Immunol.</i> 169: 2148-2155, The American Association of Immunologists, Inc. (August 2002)	
	AS76	O'Sullivan, F.X., <i>et al.</i> , "Spontaneous Arthritis Models," in <i>Mechanisms and Models in Rheumatoid Arthritis</i> , Henderson, B., <i>et al.</i> , ed., Academic Press, New York, NY, pp. 471-483 (April 1995)	
	AT76	Copy of co-pending U.S. Application No. 11/518,949, inventors Roschke, V. <i>et al.</i> , filed September 12, 2006 (NOT PUBLISHED)	

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